

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
(Richmond Division)

_____)	
In re)	
)	
VIREOL BIO ENERGY, LLC,)	
)	Case No. 15-35970-KLP
Involuntary Debtor.)	
)	
_____)	

**ANSWER, CONSENT TO ENTRY OF ORDER FOR RELIEF, AND
MOTION TO CONVERT CASE TO CHAPTER 11 PURSUANT TO 11 U.S.C. § 706**

Vireol Bio Energy, LLC (“VBE”), by counsel and pursuant to 11 U.S.C. 706(a), files this answer to the involuntary petition filed herein, consents to an entry of an order for relief, and moves to convert this case to a proceeding under Chapter 11 of the Bankruptcy Code. VBE states the following in support thereof:

Answer

1. VBE admits that the petitioning creditors each hold claims against it that are not contingent as to liability or the subject of a bona fide dispute as to liability or amount, and that such non-contingent, undisputed claims aggregate at least \$15,325.00 more than the value of any lien on property of VBE securing such claims.

2. VBE admits that it is generally not paying its debts as they become due.

Consent to Entry of Order for Relief

3. Based upon the acknowledgments made hereinabove, VBE hereby consents to the entry of an order for relief.

Motion to Convert to Chapter 11

4. This case has not been previously converted from any other Chapter under the Bankruptcy Code.

5. Pursuant to 11 U.S.C. 706(a), a debtor may convert a case under Chapter 7 to a case under chapters 11, 12 or 13 of Title 11 of the Bankruptcy Code.

6. VBE qualifies to be a debtor under Chapter 11 of the Bankruptcy Code.

7. Based on the above, VBE hereby requests that upon entry of an order for relief in this proceeding, that this Court thereafter immediately convert this case to a proceeding under Chapter 11 of the Bankruptcy Code.

WHEREFORE, VBE i) acknowledges that grounds exist for the entry of an order for relief herein, ii) expressly consents to the entry of an order for relief in this proceeding, iii) moves this Court to immediately convert this case to a proceeding under Chapter 11 of the Bankruptcy Code, and iv) asks for such other and further relief as this Court may deem just.

VIREOL BIO ENERGY, LLC

By: /s/ Kevin J. Funk
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CERTIFICATE OF SERVICE

I hereby certify that on December 4, 2015, a true and correct copy of the foregoing documents was served, via electronic means on the following:

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